

REMARKS

After entry of this Amendment, claims 1-10 will remain in this application. Claim 11 was previously canceled, and new claim 12 is presented above. Entry of the Amendment and reconsideration of the application are again requested.

Independent claim 1 is rejected under 35 U.S.C. 102(e), along with certain dependent claims, as being anticipated by U.S. Patent 6,332,356 to Hecht et al. Claim 1, however, is amended above so as to more clearly specify that the introducing means is provided both near the outlet of the sub-passage and at a peripheral portion of that sub-passage. The introducing means of the flow rate measuring device as presently claimed introduces a wide backward flow range and makes it possible to more stably introduce the backward flow even when backward flow "drift" is generated. The measuring device according to the present invention therefore can accurately measure flow rate without being affected by drift.

It is respectfully submitted that the Hecht et al. patent disclosure does not in fact anticipate claim 1. While the beveled section 41 of the Hecht et al. device may serve to introduce backward flow, such backward flow exists only near the outlet, and the Hecht et al. device does not include introducing means provided both near the outlet of the sub-passage and at a peripheral portion of that outlet as claim 1 defines. As a result of this feature, and a wide backward flow range cannot be stably introduced.

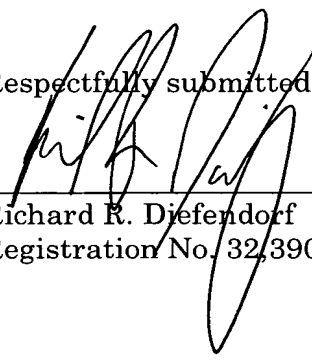
It is again respectfully submitted that claim 1 is not anticipated by the Hecht et al. patent relied on by the Examiner. It is further submitted that claim 1 is patentable, along with all claims depending thereon.

New claim 12, which depends on claim 1, is directed to structure illustrated by way of example in Figures 1, 4, and 7, further distinguishes the invention from the Hecht et al. disclosure and is separately patentable from claim 1. The width of the beveled section 41 shown in Figure 2 of the Hecht et al. patent is smaller than the width of the outlet of the deflection conduit.

It is respectfully submitted that the present application is placed into allowable condition by the present Amendment. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

September 28, 2005

Respectfully submitted,



Richard R. Diefendorf
Registration No. 32,390

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
RRD:rd